

**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
DIVISION OF CONSUMER SERVICES**

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Mortgage Broker Practices Act of Washington  
by:

NO. C-02-051-03-CO01

CONSENT ORDER

Bobbie Diane Pospisil, dba Posipsil and  
Associates, and  
Bobbie Diane Pospisil, Designated Broker,  
Respondents.

COMES NOW the Director of the Department of Financial Institutions (Director), through her designee Chuck Cross, Acting Director, Division of Consumer Services, and Bobbie Diane Pospisil, dba Posipsil and Associates, and Bobbie Diane Pospisil, Designated Broker and Owner, (hereinafter as "Respondents"), and finding that the issues raised in the captioned matter may be economically and efficiently settled, agree to the entry of this Consent Order. This Consent Order is entered pursuant to chapter 19.146 of Revised Code of Washington (RCW), and RCW 34.05.060 of the Administrative Procedure Act, based on the following:

**I. AGREEMENT AND ORDER**

The Department of Financial Institutions, Division of Consumer Services (Department) and Respondents have agreed upon a basis for resolution of the matters alleged in Statement of Charges No. C-03-051-03-SC01, entered March 25, 2003, (copy attached hereto). Pursuant to chapter 19.146 RCW, the Mortgage Broker Practices Act (Act) and RCW 34.05.060 of the Administrative Procedure Act,

1 Respondents hereby agree to the Department's entry of this Consent Order and further agree that the issues  
2 raised in the above captioned matter may be economically and efficiently settled by entry of this Consent  
3 Order.

4 Based upon the foregoing:

5 A. It is AGREED that the Department has jurisdiction over the subject matter of the activities  
6 discussed herein.

7 B. It is AGREED that Respondents have been informed of their right to a hearing before an  
8 administrative law judge, and that they have waived their right to a hearing and any and all administrative and  
9 judicial review of the issues raised in this matter, or of the resolution reached herein.

10 C. It is AGREED that the license of Bobbie Diane Pospisil, dba Popisil and Associates, to  
11 conduct the business of mortgage broker be revoked;

12 D. It is AGREED that Bobbie Diane Pospisil be prohibited from participation in the conduct of  
13 the affairs of any licensed mortgage broker, in any manner, for a period of five (5) years;

14 E. It is AGREED that, should Respondents apply to the Department for any license at any time  
15 after five (5) years from the date of entry of this Consent Order, Respondents shall pay \$5,276.11 to the  
16 Department, which amount includes:

- 17 • an examination fee in the amount of \$231.30 calculated at \$46.26 per hour for each staff
- 18 hour devoted to the investigation (5 hours);
- 19 • a monetary fine of \$3000.00 calculated at \$100.00 per day for 30 days and
- 20 • the cumulative annual assessments due for the years through 2002 totaling \$2044.81

21 F. It is AGREED that, should Bobbie Diane Pospisil apply to the Department for any license at  
22 any time after five (5) years from the date of entry of this Consent Order, Bobbie Diane Pospisil shall be  
23 required to meet any and all application requirements in effect at that time, including but not limited to  
24 any required examination;

1 F. It is AGREED that the undersigned have represented and warranted that they have the full  
2 power and right to execute this Consent Order on behalf of the parties represented.

3 G. It is AGREED that the undersigned Respondents have voluntarily entered into this Consent  
4 Order, which is effective when signed by the Director's designee.

5 **RESPONDENTS:**

6  
7 Bobbie Diane Pospisil 10/6/03  
8 Bobbie Diane Pospisil Date:  
9 for Accord Mortgage Services, Inc.

10 Bobbie Diane Pospisil 10/6/03  
11 Bobbie Diane Pospisil, Designated Broker Date:

12  
13 THIS ORDER ENTERED THIS 10th DAY OF October, 2003.

14  
15 /S/  
16 Chuck Cross, Acting Director  
17 Division of Consumer Services  
18 Department of Financial Institutions  
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